

FORM PTO-1390 (REV 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER  GH-01383
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>09/889745</b>
INTERNATIONAL APPLICATION NO.  PCT/AU00/00030	INTERNATIONAL FILING DATE (dd/mm/yyyy)  20/01/2000	PRIORITY DATE CLAIMED (dd/mm/yyyy)  20/01/1999	
TITLE OF INVENTION  ROCK BORING DEVICE			
APPLICANT(S) FOR DO/EO/US  PEACH et al.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The U.S. has been elected by the expiration of 19 months from the priority date (Article 31). (A demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the priority date.)</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau (<i>Not Known</i>).</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application if filed in another language (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau (<i>Not Known</i>).</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s). (35 U.S.C. 371(c)(4)). <input checked="" type="checkbox"/> (<b>Applicants' Note: Declaration will be filed soon, i.e., as soon as it is executed and returned by foreign client.</b>)</li> <li>10. <input type="checkbox"/> A English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
Items 11 to 20 below concern document(s) or information included:			
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement (IDS) under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</li> <li>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 34 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items of information: <ol style="list-style-type: none"> <li>(a) <input checked="" type="checkbox"/> International Search Report (PCT/ISA/210) (3 sheets);</li> <li>(b) <input checked="" type="checkbox"/> International Preliminary Examination Report (PCT/IPEA/409) (3 sheets);</li> <li>(c) <input checked="" type="checkbox"/> Request (PCT/RO/101) (6 sheets); and</li> <li>(d) <input checked="" type="checkbox"/> Demand (PCT/IPEA/401) (4 sheets).</li> </ol> </li> </ol>			

PCT/US/09/889745

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>09/889745</b>		INTERNATIONAL APPLICATION NUMBER PCT/AU00/00030		ATTORNEY DOCKET NUMBER GH-01383	
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21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS		PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492(A)(1)-(5)):</b> Neither international preliminary examination fee nor international search fee paid to USPTO and International Search Report not prepared by EPO or JPO. (37 CFR 1.492(a)(3)).....\$1000.00  International preliminary examination fee not paid to USPTO but International Search Report prepared by EPO or JPO. (37 CFR 1.492(a)(5)).....\$860.00  International preliminary examination fee not paid to USPTO but international search fee paid to USPTO. (37 CFR 1.492(a)(2)).....\$710.00  International preliminary examination fee paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4). (37 CFR 1.492(a)(1))...\$690.00  International preliminary examination fee paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4). (37 CFR 1.492(a)(4)).....\$100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT</b> = \$1000.00							
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				
Total Claims	12 - 20 =	-8	X \$18.00	\$			
Independent Claims	1 - 3 =	-2	X \$80.00	\$			
MULTIPLE DEPENDENT CLAIM(S) (IF APPLICABLE)				+ \$270.00		\$	
<b>TOTAL OF ABOVE CALCULATIONS</b>				=		\$1130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. 1.27. The fees indicated above are reduced by 1/2.				-		\$565.00	
<b>SUBTOTAL</b>				=		\$565.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+		\$	
<b>TOTAL NATIONAL FEE</b>				=		\$565.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+		\$	
<b>TOTAL FEES ENCLOSED</b>				=		\$565.00	
				Amount to be refunded		\$	
				charged		\$	

a. ☒ Check no. 5229 in the amount of \$ 565.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

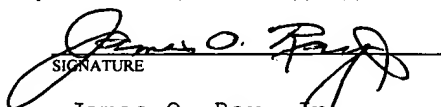
c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**James Ray & Associates**  
 2640 Pitcairn Road  
 Monroeville, Pa 15146

  
 SIGNATURE  
 James O. Ray, Jr.  
 NAME  
 27,666  
 REGISTRATION NUMBER

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09/889745-1050

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412-380-0725  
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**Forest C. Sexton\*\***  
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*Of Counsel*

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*Foreign Patent Manager*

**Todd A. Ray**

**Docket** GH-01383

**Date:** 20 July 2001

\* reg US Patent Agent

\*\* admitted to PA Bar, U.S. Dist. CT., W.P.A.

\*\*\* admitted to PA & MI Bar

† admitted to D.C., CAFC, Sup. Ct.

†† admitted to PA & MA Bar

Commissioner of Patents  
Washington, D.C. 20231

**Attn: Box PCT**

**RE:** National Stage Entry in the United States for PCT International Application PCT/AU00/00030.

Dear Sir/Madam:

Pursuant to the Patent Cooperation Treaty (PCT), we request that the aforementioned PCT International Application be entered into the national stage in the United States. To that end, we submit the following items to the U.S. Patent and Trademark Office (USPTO):

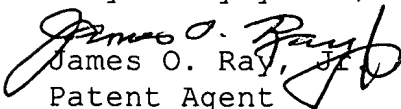
- (1) PCT Transmittal Letter (Form PTO-1390) (2 sheets);
- (2) A Preliminary Amendment (8 sheets);
- (3) PCT International Application (i.e. Publication WO 00/43637) (20 sheets);
- (4) International Search Report (PCT/ISA/210) (3 sheets);
- (5) International Preliminary Examination Report (PCT/IPEA/409) (3 sheets);
- (6) Request (PCT/RO/101) (6 sheets);
- (7) Demand (PCT/IPEA/401) (4 sheets); and
- (8) A check for \$565.00 to cover the filing fee for a small entity.

The following items will be submitted as soon as they become available:

- (9) A Declaration of Inventor(s) And Power of Attorney form; and
- (10) Assignment forms reflecting the chain of title.

If you have any questions about the matters discussed in this correspondence, please contact our offices accordingly.

Very truly yours,

  
James O. Ray, Jr.  
Patent Agent

Enclosures: as stated

JOR:sf

09/889745  
JCTB Rec'd PCT/PTO 20 JUL 2001

I hereby certify that this correspondence  
is being deposited with the United States  
Postal Service as EXPRESS MAIL  
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Commissioner of Patents and Trademarks  
Washington, D.C. 20231

on

July 20, 2001

James J. Alaherty